

SECOND REGULAR SESSION

HOUSE BILL NO. 1033

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES PORTWOOD, BARRY, NAEGER, HANAWAY, SECREST,
REINHART, HEGEMAN (Co-sponsors) AND MOORE.

Pre-filed December 3, 2001, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

2391L.011

AN ACT

To amend chapter 34, RSMo, by adding thereto one new section relating to the Missouri calcium initiative, with an emergency clause and expiration date.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 34, RSMo, is amended by adding thereto one new section, to be
2 known as section 34.375, to read as follows:

**34.375. 1. This section shall be known and may be cited as the "Missouri Calcium
2 Initiative".**

**3 2. The purchasing agent for any governmental entity that purchases food or
4 beverages to be processed or served in a building or room owned or operated by such
5 governmental entity shall give preference to foods and beverages that:**

**6 (1) Contain a higher level of calcium than products of the same type and quality;
7 and**

8 (2) Are equal to or lower in price than products of the same type and quality.

**9 3. Notwithstanding the provisions of subsection 2 of this section to the contrary, if
10 a state institution determines that a high calcium food or beverage that is preferred
11 pursuant to subsection 2 of this section will interfere with the proper treatment and care
12 of a patient of such institution, the purchasing agent shall not be required to purchase the
13 high calcium food or beverage for such patient.**

**14 4. The requirements of this section shall be in addition to any requirements placed
15 upon a governmental entity by the United States Department of Agriculture under the
16 National School Lunch Program or the School Breakfast Program.**

**17 5. For purposes of this section, "governmental entity" means the state of Missouri,
18 its departments, agencies, boards, commissions and institutions, and all school districts of**

19 **the state. Governmental entity does not include political subdivisions of the state.**

20 **6. Notwithstanding the provisions of this section to the contrary, a purchasing agent**
21 **who has entered into a contract with a supplier before July 1, 2002, to purchase food and**
22 **beverages shall not be required to purchase high calcium foods and beverages if**
23 **purchasing such products would change the terms of the contract.**

Section B. Because immediate action is necessary to maximize the nutritional quality
2 of food and beverages served by governmental entities section A of this act is deemed necessary
3 for the immediate preservation of the public health, welfare, peace and safety, and is hereby
4 declared to be an emergency act within the meaning of the constitution, and section A of this act
5 shall be in full force and effect July 1, 2002, or upon its passage and approval, whichever later
6 occurs.